

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES
AND NOTICE OF PUBLIC HEARING**

Chapter 250-Personal Licensure, Rule 250-5-.11 Inactive Status

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-Personal Licensure, Rule 250-5-.11 Inactive Status (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Board at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-22; 43-1-25; and 43-18-23. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-22; 43-1-25; and 43-18-23 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the

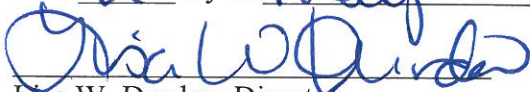
GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed rule amendment to 250-5-.11 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-22; 43-1-25; and 43-18-23.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.



Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/2018

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

SYNOPSIS OF PROPOSED CHANGES TO THE RULES
Chapter 250-Personal Licensure, Rule 250-5-.11 Inactive Status

Purpose: The purpose of this amendment is to add language and replace antiquated pronouns to make the rule for easily understood.

Main Features: The main features of this amendment are adding language to clarify the type of license required and to replace antiquated pronouns along with appropriate adverb tense.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE RULE**
Chapter 250-Personal Licensure, Rule 250-5-.11 Inactive Status

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-Personal Licensure

Rule 250-5-.11 Inactive Status

A person must ~~have~~ hold a current Georgia funeral director or embalmer license to apply for inactive status; and

- (a) A funeral director or embalmer who holds a current license and who will not practice funeral directing or embalming in Georgia may apply for inactive status by completing an Application for Inactive Status and submitting the appropriate fee (see Fee Schedule) to the Board. Once the license is in Inactive Status, an embalmer or funeral director shall not practice embalming or funeral directing in the State of Georgia while that license is on Inactive Status; and
- (b) To request that a license be placed on Inactive Status, the license must be in good standing and the licensee must show that ~~he/she~~ they have ~~has~~ attained the continuing education hours which will be required at their next renewal; and
- (c) A funeral director or embalmer who wishes to reactivate an Inactive Status license must submit to the Board an Application to Reactivate, appropriate fee, and documentation of continuing education:
 - 1. If the request to reactivate is received more than two (2) years but less than four (4) years from the date on which Inactive Status was approved, the licensee must document five (5) continuing education hours;

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

2. If the request to reactivate is received four (4) or more years after the date on which Inactive Status was approved, the licensee must document ten (10) continuing education hours and take and pass the State Laws and Rules Examination, notwithstanding the fact that ~~he/she~~ they may have passed the Laws and Rules Examination on a prior date.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-22; 43-1-25; and 43-18-23

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

Chapter 250-Personal Licensure

Rule 250-5-.11 Inactive Status

A person must hold a current Georgia funeral director or embalmer license to apply for inactive status; and

- (a) A funeral director or embalmer who holds a current license and who will not practice funeral directing or embalming in Georgia may apply for inactive status by completing an Application for Inactive Status and submitting the appropriate fee (see Fee Schedule) to the Board. Once the license is in Inactive Status, an embalmer or funeral director shall not practice embalming or funeral directing in the State of Georgia while that license is on Inactive Status; and
- (b) To request that a license be placed on Inactive Status, the license must be in good standing and the licensee must show that they have attained the continuing education hours which will be required at their next renewal; and
- (c) A funeral director or embalmer who wishes to reactivate an Inactive Status license must submit to the Board an Application to Reactivate, appropriate fee, and documentation of continuing education:
 - 1. If the request to reactivate is received more than two (2) years but less than four (4) years from the date on which Inactive Status was approved, the licensee must document five (5) continuing education hours;
 - 2. If the request to reactivate is received four (4) or more years after the date on which Inactive Status was approved, the licensee must document ten (10) continuing education hours and take and pass the State Laws and Rules Examination, notwithstanding the fact that they may have passed the Laws and Rules Examination on a prior date.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-22; 43-1-25; and 43-18-23